

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1 – 8. (Cancelled)

9. (Currently Amended) An ear wearable recording and playback device comprising:

a speaker for playing recorded voice signals, a component for directing the played recorded voice signals into the wearing individual's ear, the component is configured to fit substantially in inside a concha portion of a wearing individual's ear;

a microphone configured to receive voice signals of a wearing individual; and

a housing containing a recording device, the housing configured to fit around the wearing individual's ear and when in typical use the ear wearable recording and playback device being held in place by the component which is substantially inside the concha biasing against the concha and the housing lying on and biasing against a top portion of the ear and head connection of the wearing individual and wherein a member extends from the component to a front of the top portion of the ear and head connection and the member being connected to the housing.

10. (Original) The device of claim 9 wherein the device fits substantially in and around a single ear of the wearing individual.

11. (Currently Amended) The device of claim 9 wherein when the device is worn by the wearing individual, ~~the speaker fits substantially in the concha portion~~

~~of the single ear, and~~ the housing having an edge at least partially following the back of the single ear.

12. (Original) The device of claim 9 wherein the housing comprises the microphone.

13. (Original) The device of claim 9 wherein the microphone extends from the housing.

14. (Original) The device of claim 9 further comprising a transmit/receive device so that the device can communicate with other ear wearable recording and playback devices.

15. (Original) The device of claim 14 wherein the transmit/receive device communicates using infrared signals.

16. (Original) The device of claim 14 wherein the transmit/receive device communicates using radio frequency signals.

17. (Original) The device of claim 16 wherein the transmit/receive device communicates using a Bluetooth interface.

18. (Original) The device of claim 16 wherein the transmit/receive devices communicates using a wireless Ethernet interface.

19. (Original) The device of claim 14 wherein the transmit/receive device communicates using a wired connection.

20. (Original) The device of claim 14 wherein the transmit/receive device is used to transfer recorded voice signals to a computer.

21-28.(Canceled).

29. (Currently Amended) An ear wearable transmitting and receiving device comprising:

a speaker for playing voice signals, a component for directing the played recorded voice signals into the wearing individual's ear, the component is configured to fit substantially inside a concha portion of at least partially in a wearing individual's ear;

a microphone configured to receive voice signals of a wearing individual; and

a housing containing a ~~transmit/receive~~ transmitting and receiving device so that the device can communicate with other transmitting and receiving devices, ~~the housing configured to fit substantially around the wearing individual's ear and~~ when in typical use the ear wearable transmitting and receiving device being held in place by the component which is substantially inside the concha biasing against the concha and the housing lying on and biasing against a top portion of the ear and head connection of the wearing individual and wherein a member extends from the component to a front of the top portion of the ear and head connection and the member being connected to the housing.

30. (Original) The device of claim 29 wherein the other transmitting and receiving devices are ear wearable transmitting and receiving devices.

31. (Original) The device of claim 29 wherein the device fits substantially in and around a single ear of the wearing individual.

32. (Currently Amended) The device of claim 29 wherein ~~when the device is worn by the wearing individual, the speaker fits substantially in the concha portion of the single ear, and~~ the housing having an edge at least partially following the back of the single ear.

33. (Original) The device of claim 29 wherein the housing comprises the microphone.

34. (Original) The device of claim 29 wherein the microphone extends from the housing.

35. (Currently Amended) An ear-wearable device comprising:
a microphone for receiving audio signals;
an amplifier for amplifying a signal provided to ~~the~~ a speaker; and
a component speaker configured to direct sounds of the amplified signal towards an ear canal of a listener's ear and the a component configured to fit substantially in a concha portion of the listener's ear; and

a housing connected to the component, the housing ~~configured to be substantially supported by a pinna of the listener's ear and~~ containing substantially all other components of the ear-wearable device other than the speaker, the all other components including the amplifier and when in typical use the ear device being held in place by the component which is substantially inside the concha biasing against the concha and the housing lying on and biasing against a top

portion of the ear and head connection of the wearing individual and wherein a member extends from the component to a front of the top portion of the ear and head connection and the member being connected to the housing.

36. (Previously Presented) The ear-wearable device of claim 35 wherein the microphone is integrated into an exterior of the housing.

37. (Previously Presented) The ear-wearable device of claim 35 wherein the housing has a lower surface which makes contact with pinna and the lower surface is shaped to at least partially follow the pinna and head connection when worn.

38. (Previously Presented) The ear-wearable device of claim 37 wherein the housing is made of a substantially rigid material.